

Remarks

Claims 1-5, 7-9, and 11-22 are pending in this application. Applicants have amended claims 1, 8, 11, 13-16, and 18-20 to clarify the claimed invention. Applicants respectfully request favorable reconsideration of this application.

The Examiner rejected claims 1-17 under 35 U.S.C. § 112, second paragraph, as indefinite. Applicants have amended claim 1 to clarify that the stator of the motor is surrounded by the motor housing. Accordingly, Applicants submit that claims 1-17 comply with 35 U.S.C. § 112, second paragraph, and respectfully request withdrawal of this rejection.

The Examiner rejected claims 1-9 and 11-22 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 4,651,591 to Wurst.

Wurst does not disclose the invention recited in claim 1 since, among other things, Wurst does not disclose a motor housing. It appears as if the articulated half piece 1 disclosed by Wurst is analogous to the wrist housing of the claimed invention. At col. 6, lines 3-7, Wurst discloses that both motors M1 and M2 are arranged in a recess in the head of the articulated half piece 1, and the recess is outwardly defined by two fork-shaped limiting wall section bars 25 and 26. Clearly, the lead line from the number 25 in Fig. 2 should extend to the structure corresponding to structure identified by reference character 26. Therefore, Wurst discloses a structure in which the motors are arranged directly in the “wrist housing” and does not disclose a motor housing.

Additionally, Wurst does not disclose the invention recited in claim 1 since Wurst does not disclose a motor housing that includes a shell part, an opening and a sealing member. The Examiner asserts that cylindrical section 39 is an opening in a “motor housing”. However, at col. 6, lines 42-56, Wurst describes cylindrical section 39 as part of a bearing assembly. Along these lines, Wurst describes how a coupling section 53 is connected to the drive unit/motors with a bearing assembly 37-41. The bearing assembly includes a stationary section 40. The cylindrical section 39 is arranged concentrically with the stators. The cylindrical section is mounted on the upper side adjoining the coupling section 53, as shown in Fig. 2. The cylindrical section has on the lower side, in the area of the articulated half piece 1, only narrow fork-shaped sections 39, which are supported in recesses axially within the wall sections 25, 26, below the stators. Consequently, Wurst does not disclose a motor housing or an opening.

Furthermore, Wurst does not disclose a sealing member adapted to seal an opening in a motor housing. Along these lines, if recess walls 25 and 26 were considered to disclose an opening in a motor housing, cylindrical section 39 cannot have any sealing function in relation to the recess walls since there is a gap between the part 39 and the walls. Therefore, Wurst does not disclose a sealing member adapted to seal an opening in a motor housing.

Still further, Wurst does not disclose a shell part or motor housing that connects a tilt to a wrist housing as recited in claims 1 and 19. Along these lines, Wurst discloses motors M1 and M2 that include shafts that are directly journalled in the wall parts 25 and 26 of the articulated half piece 1. This is, the shafts are directly journalled in what might be considered analogous to the “wrist housing”. Therefore, Wurst does not disclose a shell part or motor housing that

connects a tilt to a wrist housing.

Also, Wurst does not disclose a shell part or a motor housing adapted to surround a stator. Along these lines, no part disclosed by Wurst as being close to the stators actually surrounds the stators. For example, the stationary bearing section 40, the bottom of the recess in the articulated half piece 1, and the cylindrical bearing section 39 do not surround the stators. Consequently, Wurst does not disclose a shell part or a motor housing adapted to surround a stator.

In view of the above, Wurst does not disclose all elements of the present invention as recited in claims 1-5, 7-9, and 11-22. Since Wurst does not disclose all elements of the present invention as recited in claims 1-5, 7-9, and 11-22, the present invention, as recited in claims 1-5, 7-9, and 11-22, is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

In view of the above, the reference relied upon in the office action does not disclose

patentable features of the claimed invention. Therefore, the reference relied upon in the office action does not anticipate the claimed invention. Accordingly, Applicants respectfully request withdrawal of the rejection based upon the cited reference.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

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